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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,267	07/06/2001	Anil Punjabi	2001P12193us	7592

28524 7590 12/15/2005

SIEMENS CORPORATION  
INTELLECTUAL PROPERTY DEPARTMENT  
170 WOOD AVENUE SOUTH  
ISELIN, NJ 08830

EXAMINER
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HASHEM, LISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/900,267		PUNJABI, ANIL	
	<b>Examiner</b>		<b>Art Unit</b>	
	Lisa Hashem		2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10-12-2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 8, 11, and 16 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, ‘...clearing said call history after a predetermined period has elapsed...’ which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is only mention of ‘...updating a call history...’ on page 5, lines 2-4, page 6, lines 11-13, and page 7, lines 19-20 in the specification.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4-7, 9, 10, 12-14, and 15 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No. 6,898,274 by Galt et al, hereinafter Galt.

Regarding claim 1, Galt discloses a telecommunications system (see Fig. 1), comprising:  
a local area network (Fig. 3; col. 5, line 44 – col. 6, line 3; col. 6, lines 20-67);

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one or more telecommunications devices (e.g. SCP) coupled to said local area network (col. 6, lines 53-55);

a switching unit (e.g. SCP) (Fig. 1: 138, 140; Fig. 2, 200; col. 4, lines 43-48; col. 6, lines 53-55) coupled to said local area network, said switching unit adapted to associate a plurality of numbers with a user (col. 2, lines 21-26; col. 2, lines 44-53), record a time and associated number at which said user has been reached (col. 11, lines 21-48), and perform a closest neighbor time comparison of multiple records of previous calls to determine where to connect a current call (col. 4, lines 55-67; col. 10, lines 16-24 and lines 30-36).

Regarding claim 2, a telecommunications system in accordance with claim 1, wherein Galt further discloses said switching unit further adapted to switch calls to said user at particular locations at programmed times (col. 2, lines 44-53; col. 4, lines 55-67; col. 10, line 16 – col. 11, line 7).

Regarding claim 4, Galt discloses a telecommunications gatekeeper (e.g. SCP) (Fig. 1: 138, 140; Fig. 2, 200; col. 4, lines 43-48), comprising:

a control processor (Fig. 2, 208) adapted to process incoming and outgoing calls, wherein users have one or more numbers associated with them (col. 2, lines 21-26; col. 2, lines 44-53; col. 5, lines 29-30);

a record unit (Fig. 2, 218) adapted to store in a memory a call history associated with particular users (col. 5, lines 38-40); and

a compare unit (Fig. 2, 204) adapted to perform a closest time neighbor comparison of multiple calls in said call history to determine at which of said one or more numbers to connect the call (col. 4, lines 55-67; col. 5, lines 40-43; col. 10, lines 16-24 and 30-36).

Regarding claim 5, a telecommunications gatekeeper in accordance with claim 4, wherein Galt further discloses said control unit programmable to switch calls to said users at particular numbers at particular times (col. 2, lines 44-53; col. 4, lines 55-67; col. 10, line 16 – col. 11, line 7).

Regarding claim 6, a telecommunications gatekeeper in accordance with claim 5, wherein Galt further discloses said compare unit adapted to perform said closest neighbor comparison if a call is not connected to a programmed number at the programmed time (col. 10, lines 16-58).

Regarding claim 7, a telecommunications gatekeeper in accordance with claim 4, wherein Galt further discloses said call history is updated after every call (col. 10, line 37 – col. 11, line 48).

Regarding claim 9, Galt discloses a method, comprising:  
maintaining a call history of calls to one or more numbers of a particular user (col. 5, lines 38-40);  
receiving a new call (col. 10, lines 16-24);  
performing a closest neighbor time comparison of multiple calls in said call history to determine at which of said numbers to switch said new call (col. 4, lines 55-67);  
connecting said new call (col. 10, lines 16-24 and lines 30-36); and  
updating said call history (col. 10, line 37 – col. 11, line 48).

Regarding claim 10, a method in accordance with claim 9, wherein Galt further discloses, further comprising first attempting to switch a call to a user-programmed time associated call location (col. 10, lines 16-36).

Regarding claim 12, Galt discloses a method, comprising:

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providing a control processor (Fig. 2, 208) adapted to process incoming and outgoing calls, wherein users have one or more numbers associated with them (col. 2, lines 21-26; col. 2, lines 44-53; col. 5, lines 29-30);

providing a record unit (Fig. 2, 218) adapted to store in a memory a call history associated with particular users (col. 5, lines 38-40); and

providing a compare unit (Fig. 2, 204) adapted to perform a closest neighbor time comparison of multiple calls in said call history to determine at which of said one or more numbers to connect the call (col. 4, lines 55-67; col. 5, lines 40-43; col. 10, lines 16-24 and lines 30-36).

Regarding claim 13, a method in accordance with claim 12, wherein Galt further discloses said control unit programmable to switch calls to said users at particular numbers at particular times (col. 2, lines 44-53; col. 4, lines 55-67; col. 10, line 16 – col. 11, line 7).

Regarding claim 14, a method in accordance with claim 13, wherein Galt further discloses said compare unit adapted to perform said closest neighbor comparison if a call is not connected to a programmed number at the programmed time (col. 10, lines 16-58).

Regarding claim 15, a method in accordance with claim 14, wherein Galt further discloses said call history is updated after every call (col. 10, line 31 – col. 11, line 48).

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Galt as applied to claim 1 above, and further in view of U.S. Patent No. 6,622,016 by Sladek et al, hereinafter Sladek.

Regarding claim 3, a telecommunications system in accordance with claim 2 mentioned above, wherein Galt does not disclose said switching unit comprising an H.323 gatekeeper.

Sladek discloses a system for controlling the provisioning of special services including call forwarding, in which calls directed to the subscriber may be forwarded to another telephone line associated with the subscriber (col. 1, lines 8-52; col. 7, lines 15-35).

Sladek further discloses a gatekeeper to associate a plurality of numbers with a user and determine where to connect a current call (col. 11, lines 23-47). Wherein said gatekeeper can be an H.323 gatekeeper (col. 11, line 66 – col. 12, line 20).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the system of Galt to include a switching unit as taught by Sladek to comprise an H.323 gatekeeper. One of ordinary skill in the art would have been lead to make such a modification in order to provide a system that utilizes a protocol such as H.323.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Galt, as applied to claim 4, and in further view of U.S. Patent No. 6,678, 366 by Burger et al, hereinafter Burger.

Regarding claim 8, a telecommunications gatekeeper in accordance with claim 4, wherein Galt does not disclose said call history is cleared after a predetermined period.

Burger discloses an enhanced service platform (Fig. 1, 100), comprising: a control processor or memory (Fig. 1, 110) adapted to process incoming and outgoing calls, wherein users have one or more numbers associated with them (col. 1, lines 14-25; col. 4, lines 33-37); a record unit or database module (Fig. 1, 118) adapted to store in a memory a call history associated with particular users (col. 4, line 65; col. 5, lines 1-6; col. 5, line 60 – col. 6, line 16; col. 6, line 46 – col. 7, line 2; col. 11, lines 16-18); and a compare unit or telephone call manager module (Fig. 1, 114) adapted to perform a closest time neighbor comparison of said call history to determine at which of said one or more numbers to connect the call (col. 3, lines 8-13; col. 6, line 17 – col. 7, line 56; col. 8, lines 62-65; col. 11, lines 13-21).

Burger further discloses said call history is inherently cleared after a predetermined period (col. 9, lines 25-49; col. 11, lines 64-66; col. 12, lines 10-11).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the telecommunications gatekeeper of Galt to include said call history is cleared after a predetermined period as taught by Burger. One of ordinary skill in the art would have been lead to make such a modification to clear a call history associated with particular user in order to free memory or space in the record unit.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Galt, as applied to claim 10, and in further view of Burger.

Regarding claim 11, a method in accordance with claim 10, wherein Galt does not disclose clearing said call history after a predetermined period has elapsed.



Burger discloses a method, comprising: maintaining a call history of calls to one or more numbers of a particular user (col. 5, lines 1-6; col. 6, line 46 – col. 7, line 2); receiving a new call (col. 8, lines 27-39); performing a closest neighbor time comparison on said call history to determine at which of said numbers to switch said new call; connecting said new call (col. 9, lines 40-49); and updating said call history (col. 3, lines 8-13; col. 6, line 17 – col. 7, line 56; col. 8, lines 62-65; col. 11, lines 13-21).

Burger further discloses comprising clearing said call history after a predetermined period has elapsed (col. 9, lines 25-49).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the method of Galt to include clearing said call history after a predetermined period has elapsed as taught by Burger. One of ordinary skill in the art would have been lead to make such a modification to clear a call history associated with particular user in order to free memory or space.

9. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Galt, as applied to claim 14, respectively, and in further view of Burger.

Regarding claim 16, a method in accordance with claim 14, wherein Galt does not disclose said call history is cleared after a predetermined period.

Burger discloses a method, comprising: providing a control processor or memory (Fig. 1, 110) adapted to process incoming and outgoing calls, wherein users have one or more numbers associated with them (col. 1, lines 14-25; col. 4, lines 33-37); providing a record unit or database module (Fig. 1, 118) adapted to store in a memory a call history associated with particular users (col. 4, line 65; col. 5, lines 1-6; col. 5, line 60 – col. 6, line 16; col. 6, line 46 – col. 7, line 2; col.

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11, lines 16-18); and providing a compare unit or telephone call manager module (Fig. 1, 114) adapted to perform a closest neighbor time comparison of said call history to determine at which of said one or more numbers to connect the call (col. 3, lines 8-13; col. 6, line 17 – col. 7, line 56; col. 8, lines 62-65; col. 11, lines 13-21).

Burger further discloses said call history is cleared after a predetermined period (col. 9, lines 25-49; col. 11, lines 64-66; col. 12, lines 10-11).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the method of Galt to include said call history is cleared after a predetermined period as taught by Burger. One of ordinary skill in the art would have been lead to make such a modification to clear a call history associated with particular user in order to free memory or space in the record unit.

### *Response to Arguments*

10. Applicant's arguments, see RCE, filed 10-12-2005, with respect to the rejection(s) of claim(s) 1-16 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

11. Accordingly, this action is **NON-FINAL**.

***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent No. 6,950,650 by Roeder discloses a system and method for call forwarding synchronization utilizing a telecommunications gatekeeper

13. Any response to this action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Or faxed to:**

(571) 273-8300 (for formal communications intended for entry)

**Or call:**

(571) 272-2600 (for customer service assistance)

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.


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15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LH

lh

December 12, 2005

  
FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600